

this must include a sealed outer wrapping or clear evidence that the generator has not been tampered with; and

(v) The generator packaging must be marked to indicate that the package meets the requirements of this paragraph (e.g., conforms with 49 CFR 175.10(a)(24)).

(25) With approval of the aircraft operator, one small carbon dioxide cylinder fitted into a self-inflating life-jacket, plus one spare cartridge, may be carried by a passenger or crew member in checked or carry-on baggage.

(26) A small medical or clinical mercury thermometer for personal use, when carried in protective cases by passengers or crew members.

[Amdt. 175-1, 41 FR 16106, Apr. 15, 1976]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 175.10, see the List of CFR Sections Affected appearing in the Finding Aids section of this volume.

#### **§ 175.20 Compliance and training.**

(a) Unless this subchapter specifically provides that another person shall perform a particular duty, each operator shall comply with all applicable requirements in parts 106, 171, 172, and 175 of this chapter and shall ensure each of its hazmat employees receive training in relation thereto. (See also 14 CFR 121.135, 121.401, 121.433a, 135.323, 135.327 and 135.333.)

(b) A carrier may not transport a hazardous material by aircraft unless each of its hazmat employees involved in that transportation is trained as required by subpart H of part 172 of this subchapter.

[Amdt. 175-48, 57 FR 20953, May 15, 1992]

#### **§ 175.25 Notification at air passenger facilities of hazardous materials restrictions.**

(a) Each aircraft operator who engages in for-hire transportation of passengers shall display notices of the requirements applicable to the carriage of hazardous materials aboard aircraft, and the penalties for failure to comply with those requirements. Each notice must be legible, and be prominently displayed so that it can be seen by passengers in locations where the aircraft operator issues tickets, checks bag-

gage, and maintains aircraft boarding areas.

(1) Each notice must contain the following information:

Federal law forbids the carriage of hazardous materials aboard aircraft in your luggage or on your person.

A violation can result in penalties of up to \$25,000 and 5 years imprisonment. (49 U.S.C. 1809)

Hazardous materials include explosives, compressed gases, flammable liquids and solids, oxidizers, poisons, corrosives and radioactive materials.

Examples: Paints, lighter fluid, fireworks, tear gases, oxygen bottles, and radio-pharmaceuticals.

There are special exceptions for small quantities (up to 75 ounces total) of medicinal and toilet articles carried in your luggage and certain smoking materials carried on your person.

For further information contact your airline representative.

(2) The information contained in paragraph (a)(1) of this section must be printed:

(i) In legible English;

(ii) In lettering of at least 1 cm (0.4 inch) in height for the first three paragraphs and 6.0 mm (0.2 inch) in height for the last three paragraphs; and

(iii) On a background of contrasting color.

(3) Size and color of the notice are optional. Additional information, if not inconsistent with required information, may be included.

(b) [Reserved]

[Amdt. 175-12, 45 FR 13091, Feb. 28, 1980, as amended by 175-23, 47 FR 43066, Sept. 30, 1982; Amdt. 175-47, 55 FR 52685, Dec. 21, 1990; Amdt. 175-50, 58 FR 50505, Sept. 27, 1993]

#### **§ 175.26 Notification at cargo facilities of hazardous materials requirements.**

(a) After September 30, 1994, each person who engages in the acceptance or transport of cargo for transportation by aircraft shall display notices, at each facility where cargo is accepted, to persons offering such cargo of the requirements applicable to the carriage of hazardous materials aboard aircraft, and the penalties for failure to comply with those requirements. Each notice must be legible, and be prominently displayed so that it can be seen. At a minimum, each notice must communicate the following information:

(1) Cargo containing hazardous materials (dangerous goods) for transportation by aircraft must be offered in accordance with the Federal Hazardous Materials Regulations (49 CFR parts 171–180).

(2) A violation can result in civil penalties of up to \$25,000 and criminal penalties of up to \$500,000 and 5 years imprisonment.

(3) Hazardous materials (dangerous goods) include explosives, compressed gases, flammable liquids and solids, oxidizers, poisons, corrosives and radioactive materials.

(b) The information contained in paragraph (a) of this section must be printed:

(1) Legibly in English, and, where cargo is accepted outside of the United States, in the language of the host country; and

(2) On a background of contrasting color.

(c) Size and color of the notice are optional. Additional information, examples, or illustrations, if not inconsistent with required information, may be included.

(d) Exceptions: Display of a notice required by paragraph (a) of this section is not required at:

(1) An unattended location (e.g., a drop box) provided a general notice advising customers of a prohibition on shipments of hazardous materials through that location is prominently displayed; or

(2) A customer's facility where hazardous materials packages are accepted by a carrier.

][Amdt. 175–50, 58 FR 50505, Sept. 27, 1993]

**§ 175.30 Accepting and inspecting shipments.**

(a) No person may accept a hazardous material for transportation aboard an aircraft unless the hazardous material is:

(1) Authorized, and is within the quantity limitations specified for carriage aboard aircraft according to § 172.101 of this subchapter or as otherwise specifically provided by this subchapter.

(2) Described and certified on a shipping paper prepared in duplicate in accordance with subpart C of part 172 or as authorized by § 171.11 of this sub-

chapter. The originating aircraft operator must retain one copy of each shipping paper for 90 days;

(3) Labeled and marked in accordance with subparts D and E of part 172 or as authorized in § 171.11 of this subchapter, and placarded (when required) in accordance with subpart F of part 172 of this subchapter; and,

(4) Labeled with a “CARGO AIRCRAFT ONLY” label (see § 172.448 of this subchapter) if the material as presented is not permitted aboard passenger-carrying aircraft.

(b) Except as provided in paragraph (d) of this section, no person may carry a hazardous material in a package, outside container, or overpack aboard an aircraft unless the package, outside container, or overpack is inspected by the operator of the aircraft immediately before placing it:

(1) Aboard the aircraft; or,

(2) In a unit load device or on a pallet prior to loading aboard the aircraft.

(c) A hazardous material may only be carried aboard an aircraft if, based on the inspection prescribed in paragraph (b) of this section, the operator determines that the package, outside container, or overpack containing the hazardous material:

(1) Has no holes, leakage or other indication that its integrity has been compromised; and

(2) For Class 7 (radioactive) materials, does not have a broken seal, except that packages contained in overpacks need not be inspected for seal integrity.

(d) The requirements of paragraphs (b) and (c) of this section do not apply to:

(1) An ORM-D material packed in a freight container and offered for transportation by one consignor;

(2) Dry ice (carbon dioxide, solid); or

(e) An overpack containing packages of hazardous materials may be accepted only if the operator has taken all reasonable steps to establish that:

(1) The overpack does not contain a package bearing the “CARGO AIRCRAFT ONLY” label unless—

(i) The overpack affords clear visibility of and easy access to the package; or